

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

DAVID ST. AMOUR and
DIANE ST. AMOUR,

Plaintiffs,

V.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, US BANK, NATIONAL
ASSOCIATION, AS TRUSTEE FOR LSF 9
MASTER PARTICIPATION TRUST,
CALIBER HOME LOANS, INC.,

Defendants.

CIVIL ACTION NO.

1:18-CV-00254

DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO EXTEND TIME

Defendants U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (incorrectly named as US Bank, National Association, as Trustee for LSF 9 Master Participation Trust) (“U.S. Bank”) and Caliber Home Loans, Inc. (“Caliber,” and together with U.S. Bank, “Defendants”) hereby submit this memorandum in opposition to the Motion to Extend Time filed by the Plaintiffs on June 21, 2019, in which they seek an extension from June 21, 2019 until July 21, 2019 to respond to the Defendants’ Motion for Summary Judgment. The Defendants agreed to a previous three-week extension for the Plaintiffs to respond to their Motion for Summary Judgment and request that there be no further delay.

The Defendants initially filed their Motion for Summary Judgment on March 11, 2019. The Plaintiffs sought a conference with the Court in connection with the same, which was scheduled for May 15, 2019. Counsel for the Defendants appeared at the conference, but counsel

for the Plaintiffs failed to appear. Pursuant to the Court's instruction, the Defendants refiled their Motion for Summary Judgment on May 16, 2019.

Defendants already have assented to the Plaintiffs' first request for a three-week extension to respond to their Motion for Summary Judgment.¹ ECF No. 32. Now, the Plaintiffs are seeking an additional four weeks to respond. This lawsuit has been pending before the Court for 13 months. The Plaintiffs have had over three months to consider the Defendants' motion for summary judgment and have failed to articulate valid grounds for continuing to delay the resolution of this matter.

WHEREFORE, the Defendants request that the Court deny the Plaintiffs' Motion to Extend Time.

Respectfully submitted,

**U.S. BANK TRUST, N.A., as TRUSTEE
FOR LSF9 MASTER PARTICIPATION
TRUST; and CALIBER HOME LOANS,
INC.,**

By their attorney,

/s/ Joseph K. Scully

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DATED: June 24, 2019

¹ The Motion for Summary Judgment is very short; the Memorandum of Law is only 3 pages.

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic (NEF) and paper copies will be sent to those indicated as non-registered participants on June 24, 2019.

/s/ Joseph K. Scully

Joseph K. Scully